

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 07-05072-CR-SW-RED
)	
BRADLEY LEE VANSANDT,)	
)	
Defendant.)	

ORDER

Now before the Court are Defendant's Motion to Dismiss the Indictment Based on an Unconstitutional Penal Statute (Doc. 43), the Government's Response (Doc. 73), Defendant's Reply (Doc. 74), and the Report and Recommendation of United States Magistrate Judge (Doc. 77).

Defendant Bradley Lee Vansandt moved to dismiss the indictment on the grounds that it was based on a penal statute he argues is void for vagueness and unconstitutional as applied in this case. On July 29, 2008, United States Magistrate Judge James C. England recommended Defendant's motion be denied. Defendant filed no objections to the Report and Recommendation.

Upon careful and independent review of Defendant's motion, the parties' responses and replies, and the applicable law, the Court hereby **ADOPTS** the Report and Recommendation of United States Magistrate Judge (Doc. 77) in full. Defendant's Motion to Dismiss the Indictment Based on an Unconstitutional Penal Statute (Doc. 43) is **DENIED**.

DATE: August 27th, 2008

/s/ Richard E. Dorr
RICHARD E. DORR, JUDGE
UNITED STATES DISTRICT COURT